

FILED

15 APR 28 PM 3:04

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR MORALES-GARCIA,

aka OZZY,

aka WILLIAM CASTELLON-IBARRA,

aka EFRAN MARTINEZ-ESPARZA,

MARIO PEREZ-SANCHEZ,

aka ANASTACIO SANCHEZ-

HERNANDEZ,

PEDRO ORTEGA-GOMEZ,

Defendants.

INDICTMENT

CASE NO.

Title 21, Sections 841(a)(1), (b)(1)(A),
(b)(1)(B), (b)(1)(C) and 846, United States

Code;

Title 18, Section 2, United States Code;

Title 18, Section 922(g)(5)(A), United

States Code;

Title 21, Section 843(b), United States Code

COUNT 1

The Grand Jury charges:

Beginning as early as April 2012, and continuing through April 10, 2015, the exact dates to the Grand Jury unknown, in the Northern District of Ohio, Eastern Division, and elsewhere, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, MARIO PEREZ-SANCHEZ, aka ANASTACIO SANCHEZ-HERNANDEZ, and PEDRO ORTEGA-GOMEZ, the defendants herein, and others known and unknown to the Grand Jury, did unlawfully, knowingly, and intentionally combine, conspire,

confederate, and agree together and with each other, and with diverse others known and unknown to the Grand Jury, to possess with the intent to distribute and to distribute one kilogram or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A), and 846.

COUNT 2

The Grand Jury further charges:

On or about February 21, 2012, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, the defendant herein, and others known and unknown to the Grand Jury, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 3

The Grand Jury further charges:

On or about March 12, 2012, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, the defendant herein, and others known and unknown to the Grand Jury, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 4

The Grand Jury further charges:

On or about September 10, 2012, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, the defendant herein, and others known and unknown to the Grand Jury, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 5

The Grand Jury further charges:

On or about September 18, 2012, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, the defendant herein, and others known and unknown to the Grand Jury, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 6

The Grand Jury further charges:

On or about May 22, 2013, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, the defendant herein, and others known and unknown to the Grand

Jury, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 7

The Grand Jury further charges:

On or about June 9, 2014, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, the defendant herein, and others known and unknown to the Grand Jury, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 8

The Grand Jury further charges:

On or about October 13, 2014, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, the defendant herein, and others known and unknown to the Grand Jury, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 9

The Grand Jury further charges:

On or about November 7, 2014, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, the defendant herein, and others known and unknown to the Grand Jury, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 10

The Grand Jury further charges:

On or about March 23, 2015, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, and PEDRO ORTEGA-GOMEZ, the defendants herein, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 11

The Grand Jury further charges:

On or about April 1, 2015, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, the defendant herein, and others known and unknown to the Grand

Jury, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 12

The Grand Jury further charges:

On or about April 6, 2015, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, the defendant herein, and others known and unknown to the Grand Jury, did knowingly and intentionally distribute a detectable amount of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 13

The Grand Jury further charges:

On or about April 6, 2015, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, MARIO PEREZ-SANCHEZ, aka ANASTACIO SANCHEZ-HERNANDEZ, and PEDRO ORTEGA-GOMEZ, the defendants herein, did knowingly and intentionally possess with the intent to distribute 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B) and Title 18, United States Code, Section 2.

COUNT 14

The Grand Jury further charges:

On or about April 6, 2015, in the Northern District of Ohio, Eastern Division, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, who, being an illegal alien or unlawfully in the United States, did knowingly possess in and affecting interstate or foreign commerce a firearm, to-wit: a Rohm Gmrh .22 caliber handgun, serial number 68943, in violation of Title 18, Section 922(g)(5)(A), United States Code.

COUNTS 15-24

The Grand Jury further charges:

On or about the dates listed below, in the Northern District of Ohio, Eastern Division, and elsewhere, VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony under Title 21, United States Code, Section 843(b):

<u>Count</u>	<u>Date</u>	<u>Time</u>
15	February 21, 2012	5:17 p.m.
16	March 12, 2012	10:35 a.m.
17	September 10, 2012	10:53 a.m.
18	September 18, 2012	12:37 p.m.
19	May 22, 2013	2:10 p.m.
20	June 9, 2014	6:25 p.m.
21	October 13, 2014	11:00 a.m.

22	November 7, 2014	12:03 p.m
23	March 23, 2015	11:40 a.m
24	April 6, 2015	10:30 a.m.

FORFEITURE

The Grand Jury further charges:

For the purpose of alleging forfeiture pursuant to 21 U.S.C. § 853, 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), the allegations of Counts 1 through 15, inclusive, are incorporated herein by reference. As a result of the foregoing offenses, defendants VICTOR MORALES-GARCIA, aka OZZY, aka WILLIAM CASTELLON-IBARRA, aka EFRAN MARTINEZ-ESPARZA, MARIO PAREZ-SANCHEZ, aka ANASTACIO SANCHEZ-HERNANDEZ, and PEDRO ORTEGA-GOMEZ shall forfeit to the United States any and all property constituting, or derived from, any proceeds they obtained, directly or indirectly, as the result of such violations; any and all of their property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations; and, any and all property (including firearms and ammunition) involved in or used in the commission of such violations; including, but not limited to, the following:

- a. \$3,978.00 in U.S. Currency; and,
- b. a Rohm Gmrh .22 caliber handgun, serial number 68943.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.